

MEMO ENDORSEMENT

October 6, 2023

VIA EMAIL AND ECF

Hon. Kenneth M. Karas
The Hon. Charles L. Brieant Jr. Federal Building
and United States Courthouse
300 Quarropas Street
White Plains, NY 10601

Re: *Law Offices of Crystal Moroney, P.C., v. CFPB*, No. 7:19-cv-11594, and
CFPB v. Law Offices of Crystal Moroney, P.C., No. 7:20-cv-03240

Dear Judge Karas:

Counsel for the parties in these actions submit this joint status letter at the Court's request.

Case No. 7:20-cv-03240. The Consumer Financial Protection Bureau filed this action seeking enforcement of a civil investigative demand (CID) issued to the Law Offices of Crystal Moroney (LOCM). The Court granted the Bureau's petition to enforce, ECF No. 29, and LOCM appealed. The Second Circuit affirmed. *CFPB v. Law Offices of Crystal Moroney, P.C.*, 63 F.4th 174 (2d Cir. 2023). LOCM has filed a petition for certiorari, No. 22-1233 (U.S. petition filed June 21, 2023), which the Supreme Court has not yet decided. The Second Circuit stayed issuance of its mandate pending resolution of LOCM's petition for certiorari. *See Order, Law Offices of Crystal Moroney*, No. 20-3471 (2d Cir. Jun. 28, 2023), ECF No. 165.

Case No. 7:19-cv-11594. LOCM filed this action seeking declaratory and injunctive relief against the Bureau. On June 12, 2020, this Court stayed the case "until the Bureau's Petition is resolved to avoid any duplication of efforts, and because any decision on the CID may affect claims brought by Ms. Moroney." ECF No. 34. The case has remained stayed pending final resolution of the appeals in Case No. 7:20-cv-03240.

The parties propose to file a joint status letter with the Court upon a decision resolving LOCM's petition for certiorari.

Respectfully submitted,

/s/ Margaret A. Little
Margaret A. Little
Senior Counsel
New Civil Liberties Alliance

/s/ Kevin E. Friedl
Kevin E. Friedl
Senior Counsel
Consumer Financial Protection Bureau

So ordered,
AK MK
10/11/23